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3

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In re Application of : DECISION ON
FOCKE et al :
PCT No.: PCT/EP03/011870 :
Application No.: 10/533,221 :
Int. Filing Date: 25 October 2003 : PAPERS FILED
Priority Date: 31 October 2002 :
Attorney's Docket No.: Q-87775 :
For: DEVICE FOR PROCESSING TOBACCO DURING :
THE PRODUCTION OF CIGARETTES : UNDER 37 CFR 1.42

This is a decision on the declaration filed 29 April 2005, which has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 29 April 2005, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, *inter alia*, the requisite basic national fee as required by 35 U.S.C. 371(c)(1), and an executed declaration as required by 35 U.S.C. 371(c)(4). The declaration, however, is signed by Doris Focke and Jurgen Focke as legal representatives of the inventor now deceased Heinz FOCKE.

DISCUSSION

The declaration is accepted under 37 CFR 1.42 because it includes the citizenship and mailing addresses of Doris Focke and Jurgen Focke (legal representatives) and of deceased inventor, Heinz FOCKE. Accordingly, applicants have satisfied the requirements under 37 CFR 1.42.

Thus, the requirements under 35 USC 371(c) are satisfied.

CONCLUSION

For the above reasons, the submission of the declaration under 37 CFR 1.42 is
ACCEPTED.

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision. The 35 U.S.C. § 371(c)(1), (c)(2), and (c)(4) date of this application as 29 April 2005.



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